

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

MARCO A. SANCHEZ-DIAZ,)	
)	
Plaintiff,)	
)	
v.)	No. 1:23-cv-00119-JMB
)	
SECC DEPARTMENT OF CORRECTIONS,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

This matter is before the Court on review of the file. On August 15, 2023, the Court issued an Order requiring plaintiff to file his complaint on the Prisoner Civil Rights Complaint Form, which the Court provided. The Court also required plaintiff to either pay the \$402 filing fee or complete and file an Application to Proceed in District Court without Prepaying Fees and Costs, which the Court provided.

Plaintiff completed and filed his Application to Proceed in the District Court without Prepaying Fees and Costs. He did not, however, complete and file the Court-provided Prisoner Civil Rights Complaint Form. In a letter to the Court dated August 29, 2023, plaintiff states “I do not know how to fill out these papers, but I only know that what I’m looking [for] is justice for this world and people.” ECF No. 5-1. The fact that plaintiff properly completed the Application to Proceed in the District Court without Prepaying Fees and Costs suggests that he knows how to fill out these papers. Additionally, plaintiff filed letters to the Court on October 17, 2023 and October 23, 2023. In both letters, plaintiff easily and intelligently communicates to the Court.

The Prisoner Civil Rights Complaint form requires no legal training and specifically states, “Do not make legal arguments or cite court cases or statutes.” It seeks information regarding the facts that support plaintiff’s claim, including the names and titles of the defendants, facts to

establish this Court's jurisdiction, and information regarding whether plaintiff has exhausted the administrative remedies provided by the prison. The information required by the form complaint allows the Court to conduct an initial review of plaintiff's claims pursuant to 28 U.S.C. § 1915(e)(2). Plaintiff's numerous letters to the Court do not contain the information the Court needs to evaluate his claims.

For this reason, the Court will order the Clerk to mail plaintiff another form Prisoner Civil Rights Complaint Under 42 U.S.C. §1983. Plaintiff must fill out and return this form to the Court within twenty-one (21) days of the date of this Order. *See* E.D. Mo. L.R. 2.06(A) ("All actions brought by self-represented plaintiffs or petitioners should be filed on Court-provided forms"). If plaintiff fails to file his complaint on the Court-provided form, the Court will dismiss this action without prejudice and without further notice to plaintiff.

Accordingly,

IT IS HEREBY ORDERED that the Clerk is directed to mail plaintiff a copy of the Court's prisoner civil rights complaint form.

IT IS FURTHER ORDERED that plaintiff must complete the Court-provided form and return it to the Court within twenty-one (21) days of the date of this Order.

IT IS FURTHER ORDERED if plaintiff fails to comply with this Order, the Court will dismiss this action without prejudice and without further notice.

Dated this 6th day of November, 2023.

/s/ John M. Bodenhausen
JOHN M. BODENHAUSEN
UNITED STATES MAGISTRATE JUDGE